

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MARISSA M. MONTANEZ	:	Case No. 4:14-cv-0553
	:	
Plaintiff,	:	
	:	
v.	:	(Judge Brann)
	:	
MISSOURI BASIN WELL	:	
SERVICES	:	
	:	
Defendants.	:	

ORDER

April 10, 2015

AND NOW, in accordance with the Memorandum of this same date, **IT IS**
HEREBY ORDERED THAT Defendant Missouri Basin Services' Motion
to Dismiss the Amended Complaint (ECF No. 16) is **GRANTED** in part and
DENIED in part.

The following counts of Plaintiff's Amended Complaint are **DISMISSED**:

- 1.) Count II: age discrimination and retaliation under the Age Discrimination in Employment Act;
- 2.) Count III: disability discrimination under the Americans with Disabilities Act;
- 3.) Count IV: age and disability discrimination under the Pennsylvania Human Relations Act; and

4.) Plaintiff's request for punitive damages under the applicable federal statutes.

The Court dismisses these counts **WITHOUT PREJUDICE** and grants Plaintiff leave to amend by April 24, 2015 the outlined deficiencies of her Complaint.

BY THE COURT:

/s Matthew W. Brann
Matthew W. Brann
United States District Judge